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18 UNITED STATES DISTRICT COURT  
19 CENTRAL DISTRICT OF CALIFORNIA

20 In Re KATZ INTERACTIVE CALL  
21 PROCESSING LITIGATION

22 This document relates to:  
23 Ronald A. Katz Technology Licensing,  
24 L.P.  
25 v.  
26 American Airlines, Inc., et al.

Case No. CV 2:07-ml-01816-B  
RGK FFM

Case No. CV 07-2196 RGK ✓  
(FFMx)

(Underlying Civil Action, No. 2:06  
CV 334-DF, U.S.D.C., E.D. Texas)

**PROPOSED ORDER  
DISMISSING AMERICAN  
BEACON ADVISORS, INC.**

**WHEREAS:** (1) on August 21, 2006, Plaintiff Ronald A. Katz Technology Licensing, L.P. ("RAKTL") filed a Complaint in the United States District Court for the Eastern District of Texas commencing Civil Action No. 2:06 CV 334-DF (the "Action") against Defendant American Beacon Advisors, Inc. ("American Beacon"); (2) on, October 16, 2006, American Beacon filed its Answer and Counterclaims to RAKTL's Complaint; (3) on, November 9, 2006, RAKTL filed its Reply to the Counterclaims; (4) in an order filed on March 20, 2007 in the Clerk's Office of the Judicial Panel on Multidistrict Litigation as Docket No. 1186 (the "MDL Order"), the Judicial Panel entered a Transfer Order in the matter captioned *In Re Katz Interactive Call Processing Patent Litigation* transferring the Action and other actions to this Court, and on March 30, 2007, the MDL Order was filed in the Clerk's Office of this Court; (5) on December 12, 2007, RAKTL filed an Amended Complaint in the Action in the United States District Court of California (Civil Action 07-2196 RGK (FMMx)); (6) on, January 11, 2008, American Beacon filed its Amended Answer and Counterclaims to RAKTL's First Amended Complaint; (7) on, January 28, 2008, RAKTL filed its Reply to American Beacon's Amended Answer and Counterclaims; and (8) RAKTL and American Beacon have reached a mutually satisfactory resolution of all issues between them that were the subject of the Action; (9) RAKTL and American Beacon have filed a Stipulation of Dismissal (the "Stipulation") with this Court advising the Court that the parties have reached a mutually satisfactory resolution of all issues between them that were the subject of this Action as between them; and (10) after considering the Stipulation, the Court is of the opinion that the Stipulation should be granted and therefore, it is hereby:

1. **ORDERED, ADJUDGED AND DECREED** that all claims asserted by RAKTL against American Beacon and all counterclaims asserted by American Beacon against RAKTL are dismissed with prejudice;

1                   2.     **ORDERED, ADJUDGED AND DECREED** that each of the  
2 parties shall bear its own costs, expenses and attorneys fees associated with the  
3 prosecution and defense of the Action;

4                   3.     **ORDERED, ADJUDGED AND DECREED** that the Court  
5 that presided over the Action before the MDL Order was entered shall retain  
6 jurisdiction over this matter for purposes of enforcement of the settlement; and

7                   4.     **ORDERED, ADJUDGED AND DECREED** that all  
8 unresolved pending motions in the Action between these settling parties shall be  
9 denied as moot.

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11                   So **ORDERED** and **SIGNED** this 1<sup>st</sup> day of December, 2008.

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15                   Honorable R. Gary Klausner, United States  
16                   District Judge  
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